

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 11157 of 2022**

- Sandeep Mishra S/o Balendra Mishra, Aged About 29 Years R/o Village Hanfa, Ward No. 9, Near School, Police Station-Sakri, District Bilaspur (C.G.)

**---- Petitioner****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Sakri, District Bilaspur (C.G.)

**---- Respondent**

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For Applicant	Mr. Abhishek Sinha, Senior Advocate with Mr. Rohan Patnaik, Advocate
For Respondent /State	Mr. Ravi Bhagat, Dy. GA

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**SB.: Hon'ble Mr. Justice Deepak Kumar Tiwari****Order On Board**  
**31/12/2022**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.465/2022 registered at Police Station Sakri, District Bilaspur (CG) for the offence punishable under Sections 306, 384, 34 of the IPC and Sections 3,4 of the Karja Act.
3. The prosecution case is that during the lock-down period, the present applicant and other co-accused had advanced Rs.11,00,000/- to deceased Rishabh Nigam. After COVID-19 period, the applicant and other co-accused demanded their money back, therefore, the deceased left a suicide note and committed suicide on 16.9.2022.

4. Learned Senior Counsel for the applicant submits that the necessary ingredients of the offence under Section 306 of the IPC is not attracted in the present case. He further submits that co-accused Amit Kumar Bharte and Jitendra Mishra have been granted ad-interim bail by a Coordinate Bench of this Court vide order dated 27.12.2022 passed in MCRC No.10970 of 2022 and MCRC No.11156 of 2022. He further submits that the father of the applicant is seriously ill and is admitted in CIMS Hospital, Bilaspur. Hence, he prays for releasing the applicant on regular bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Having heard the submissions of learned counsel for the parties and also considering the nature of accusations, without commenting anything on the merits of the case, I am inclined to release the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
8. In view of the above, IA No.1/2022, an application for grant of ad-interim bail, IA No.2/2022, an application for urgent hearing and IA No.3/2022, an application for hearing the case during winter vacation stand disposed.
9. Certified copy today itself. Sd/-

**( Deepak Kumar Tiwari)**

Vacation Judge

